



To the Honorable Council
City of Norfolk, Virginia

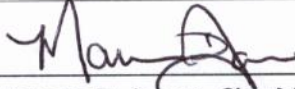
July 12, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception to operate an Automobile Storage Yard at 1132-1138 Harmony Road – Aristocrat Towing**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-2**

I. **Staff Recommendation:** Approval.

II. **Commission Action:** By a vote of **5 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Special Exception to operate an automobile storage yard.

IV. **Applicant:** Aristocrat Towing

V. **Description:**

- The site is located on the east side of Harmony Road north of Sabre Road.
- The site is surrounded primarily by industrial uses with some institutional uses nearby.
- The site was previously operated as a contractor's office with a storage yard.
 - All vehicles and material in the storage yard are screened from direct view from the public right-of-way.

VI. **Historic Resources Impacts**

The building is not located within a federal, state, or local historic district.

VII. **Public Schools Impacts**

This site is located in the Ingleside Elementary School, Lake Taylor Middle School and Lake Taylor High School Attendance Zones.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated June 23, 2016 with attachments
- Ordinance

Proponents and Opponents

Proponents

Ernie Cooper – Applicant
1132 Harmony Road
Norfolk, VA 23503

Opponents

None

Planning Commission Public Hearing: June 23, 2016

Executive Secretary: George M. Homewood, FAICP, CFM

Planner: Matthew Simons, AICP, CZA, CFM

Staff Report	Item No.: 10	
Address	1132-1138 Harmony Road	
Applicant	Aristocrat Towing	
Request	Special Exception	Automobile Storage Yard
Property Owner	Pickett Road Associates	
Site Characteristics	Site/Building Area	29,692 sq. ft./ 3,813 sq. ft.
	Future Land Use Map	Industrial
	Zoning	I-2 (Light Industrial)
	Neighborhood	N/A
	Character District	Suburban
Surrounding Area	North	I-2: Womack Contractors
	East	I-2: Vacant warehouse
	South	I-2: Jack's Towing
	West	I-2 and IN-1 (Institutional): Hampton Roads Church



A. Summary of Request

- The site is located on the east side of Harmony Road north of Sabre Road.
- The applicant proposes to operate an automobile storage yard on the site.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Industrial.

C. Zoning Analysis

i. General

- The site is zoned I-2 (Light Industrial) district which permits the use by Special Exception.
- The site is surrounded primarily by industrial uses with some institutional uses nearby.
- The site was previously operated as a contractor's office with a storage yard.
 - All vehicles and material in the storage yard are screen from direct view from the public right-of-way.

ii. Parking

- The site is located in the Suburban Character District.
- Parking for automobile storage yards is primarily limited by the space present on the site.
- The site is required to maintain seven parking spaces at the front of the site along Harmony Road to provide daily parking to the employees and patrons of the site.

ii. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

N/A

E. Historic Resources Impacts

The building is not located within a federal, state, or local historic district.

F. Public Schools Impacts

The site is located in the Ingleside Elementary School, Lake Taylor Middle School and Lake Taylor High School Attendance Zones.

G. Environmental Impacts

If the site provides storage to wrecked vehicles then an oil/water separator must be installed upon an improved surface in order properly contain and dispose of any vehicle fluids that may be leaked from wrecked vehicles.

H. Impact on Surrounding Area/Site

- The site is surrounded by similar industrial uses, including two existing tow lots.
- Landscaping will be maintained along the Harmony Road frontage to screen the automobile storage yard from the public right-of-way.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

Notice was sent to the management of the Pointe at Pickett Farms apartment community on May 20.

K. Communication Outreach/Notification

- Legal notice was posted on the property on May 17.
- Letters were mailed to all property owners within 300 feet of the property on June 9.
- Legal notification was placed in *The Virginian-Pilot* on June 9 and June 16

L. Recommendation

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

Special Exception Conditions – Automobile Storage Yard

- (a) In order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and maintained for any portion of the site which will store wrecked vehicles, subject to any limitation or preemption that may exist by operation of state law. No wrecked vehicles shall be permitted anywhere upon the site until after this device is installed.
- (b) All landscaping installed on the site shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (c) No exterior storage, placement or any other display of tires or other vehicle parts is allowed.
- (d) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, snow, ice, and any bodily discharge.

- (e) The property shall be kept in a clean and sanitary condition at all times.
- (f) The establishment shall maintain a current, active business license at all times while in operation.
- (g) No wrecked or inoperative vehicles shall be kept on site without an appropriate contract obligation. All such wrecked and/or inoperative vehicles shall be removed upon completion of insurance matters or upon obtaining title to the car if abandoned.

Attachments:

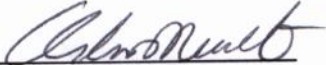
Location map

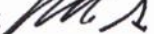
Zoning map


Application

Notice to the Pointe at Pickett Farms Community

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF AN AUTOMOBILE STORAGE YARD KNOWN AS "ARISTOCRAT TOWING" ON PROPERTIES LOCATED AT 1132 TO 1138 HARMONY ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of an Automobile Storage Yard known as "Aristocrat Towing" on properties located at 1132 to 1138 Harmony Road. The properties which are the subject of this Special Exception are more fully described as follows:

Properties front 50 feet, more or less, along the eastern line of Harmony Road beginning 332 feet, more or less, from the northern line of Sabre Road and extending northwardly; premises numbered 1132 to 1138 Harmony Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

(a) In order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and maintained for any portion of the site on which wrecked vehicles are stored, subject to any limitation or preemption that may exist by operation of state law. No wrecked vehicles shall be permitted anywhere upon the site until after this device is installed.

(b) All landscaping installed on the site shall be

maintained in a healthy growing condition at all times and shall be replaced when necessary.

- (c) No exterior storage, placement or any other display of tires or other vehicle parts is allowed.
- (d) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter and refuse
- (e) The property shall be kept in a clean and sanitary condition at all times.
- (f) The establishment shall maintain a current, active business license at all times while in operation.
- (g) No wrecked or inoperative vehicles shall be kept or stored on site without a current storage contract obligation. All such wrecked or inoperative vehicles shall be removed upon resolution of all insurance-related matters or, if abandoned, upon obtaining title to the vehicle.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare.

Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the

date of its adoption.

Location Map



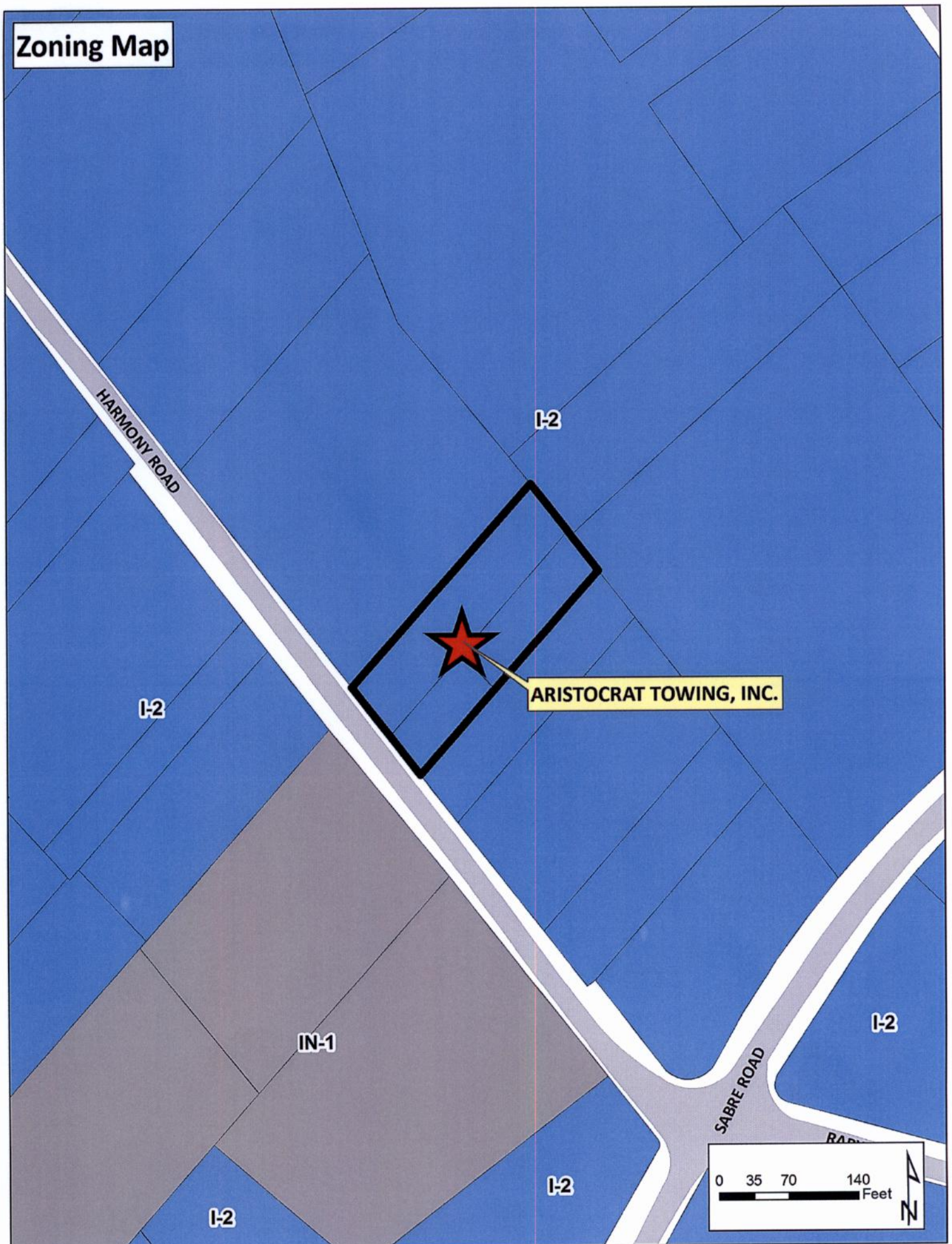
ARISTOCRAT TOWING, INC.

HARMONY ROAD

0 15 30 60 Feet



Zoning Map





**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: 1132/1138 Harmony St. Norfolk

Date of application: _____

DESCRIPTION OF PROPERTY

Property location: (Street Number) 1132 (Street Name) Harmony Rd

Existing Use of Property _____

Current Building Square Footage 3,813

Proposed Use VEHICLE IMPOUND

Proposed Square Footage _____

Proposed Hours of Operation:

Weekday From 24 hr PER DAY

Friday From 7 DAYS A Week

Saturday From _____ To _____

Sunday From _____ To _____

Trade Name of Business (If applicable) ARISTOCRAT TOWING, INC

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) COOPER (First) EARNEST (MI) A. JR.
Mailing address of applicant (Street/P.O. Box): 804 Bowling GR. TR
(City) Chesapeake (State) VA (Zip Code) 23320
Daytime telephone number of applicant (757) 4355206 () _____
E-mail address of applicant: _____

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) COOPER (First) EARNEST (MI) A. JR.
Mailing address of applicant (Street/P.O. Box): 1132 Harmony St
(City) Norfolk (State) VA (Zip Code) _____
Daytime telephone number of applicant (757) 4355206 Fax () _____
E-mail address of applicant: _____

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Pickett Road Enterprises LLC (First) Stenke, George (MI) (President)
Mailing address of property owner (Street/P.O. box): 1132 Harmony Rd
(City) Norfolk (State) VA (Zip Code) 23502
Daytime telephone number of owner (757) 536-1991 email: gstenke@cox.net

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: NO Civic League

Date(s) contacted: _____

Ward/Super Ward information: 7 / Angelia Williams Graves

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

CERTIFICATION:

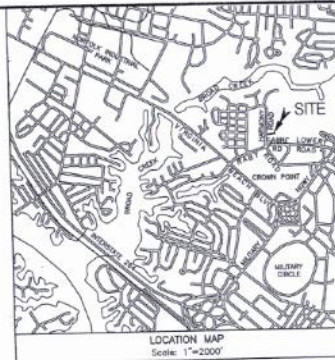
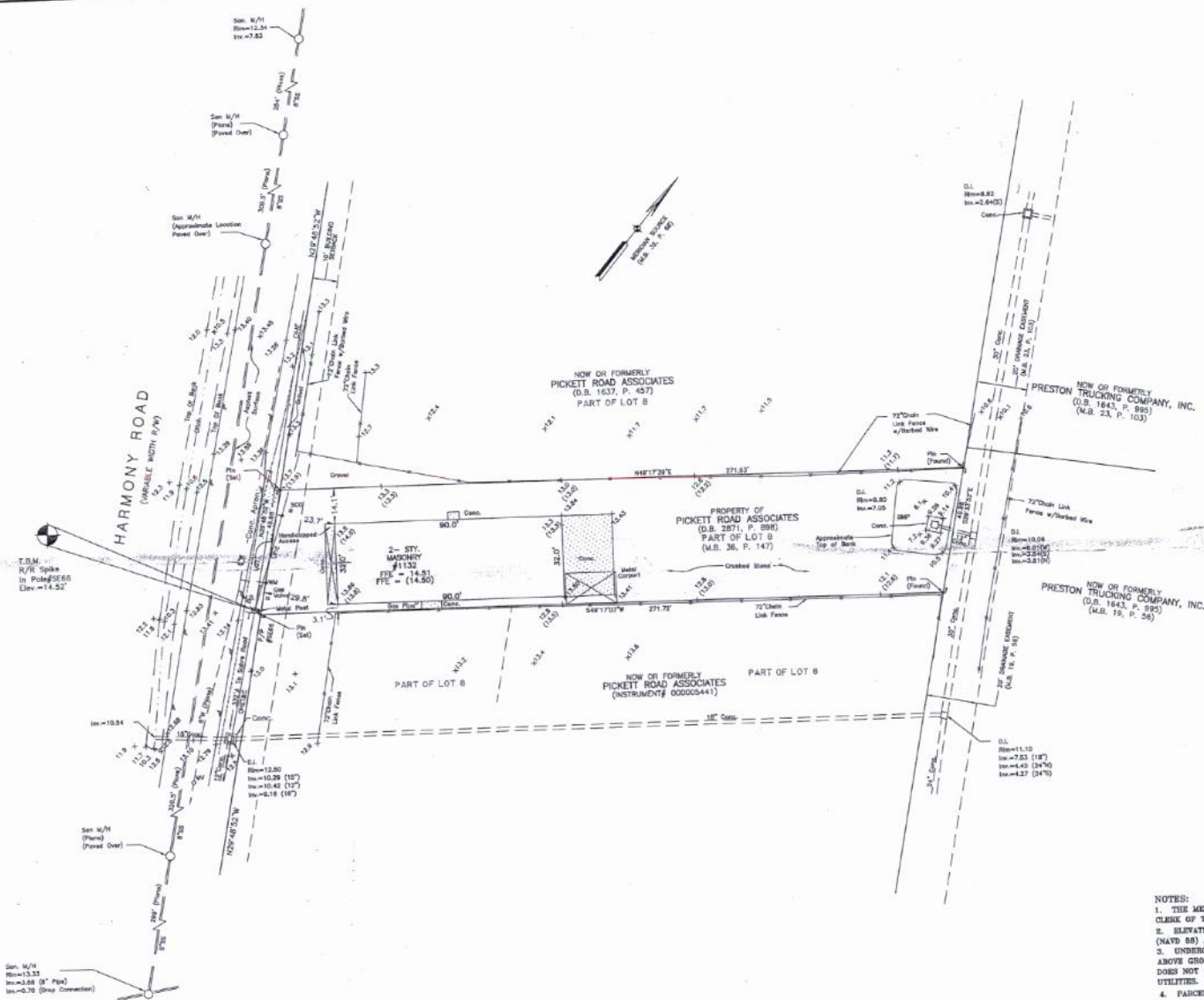
I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: George Stenke for Sign: [Signature] 4, 26, 16
(Property Owner) (Date)

Print name: Ernest A. Cooper Sign: [Signature] 4/26/16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / /
(Authorized Agent Signature) (Date)



- NOTES:
1. THE MERIDIAN SOURCE IS BASED ON M.B. 32, P. 68, RECORDED IN THE CLERK OF THE CIRCUIT COURT'S OFFICE IN NORFOLK, VIRGINIA.
 2. ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM, 1988 (NAVD 88) AND ARE EXPRESSED IN FEET.
 3. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON THE LOCATION OF ABOVE GROUND STRUCTURES, PLANS AND RECORD DRAWINGS. THIS SURVEY DOES NOT GUARANTEE THE EXISTENCE OR LOCATIONS OF ALL UNDERGROUND UTILITIES.
 4. PARCEL IS ZONED I-2
 5. PROPERTY APPEARS TO BE IN ZONE C, AREA OF MINIMAL FLOODING. REFERENCE: FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 510104 0007 D, MAP REVISED APRIL 17, 1984.
 6. ELEVATIONS SHOWN IN PARENTHESES () REPRESENT VALUES TAKEN FROM OFFICE WAREHOUSE, PICKETT ROAD ASSOCIATES, SITE PLAN, DATED OCTOBER 5, 1989, PREPARED BY THE SPECTRA GROUP.

0 10 20 40 60 FEET
GRAPHIC SCALE

ROUSE-SIRINE ASSOCIATES, LTD.
SURVEYORS AND MAPPING CONSULTANTS
303 OFFICE SQUARE, LANE
WENDELL BEACH, VIRGINIA 23091
(703) 450-7000



OFFICE WAREHOUSE
FOR
PICKETT ROAD ASSOCIATES
NORFOLK, VIRGINIA
AS-BUILT SURVEY

SCALE: 1"=20'

DATE: MAY 8, 2000

DRAWN: MJO

CHECKED: WFS

FIELD NO. 581, PP. 72-74

JOB NO. 12,022-7

SHEET NO. 1 OF 1

ADDITIONAL SHEETS: 7-AS-BUILT SURVEY

Simons, Matthew

From: Simons, Matthew
Sent: Friday, May 20, 2016 3:16 PM
To: 'tfranklin@tfjgroup.com'
Subject: new Planning Commission application - 1132-1138 Harmony Road
Attachments: application.pdf

Taylor,
Attached please find the application for a special exception for the operation of an automobile storage yard (tow lot) at 1132-1138 Harmony Road. I'm sending this to you because of the proximity of the proposed operation to the Point at Pickett Farm community.

The item is tentatively scheduled for the June 23, 2016 Planning Commission public hearing.

If you have any questions/concerns please feel free to contact me.

Matthew Simons, AICP, CZA, CFM
City Planner II


City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4750

Connect with us:
www.norfolk.gov

